

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA,	:	CASE NO. 1:19-cr-39	
	:		
Plaintiff,	:	<u>INDICTMENT</u>	Black
v.	:	18 U.S.C. § 2	
	:	18 U.S.C. § 922(g)(1)	
	:	18 U.S.C. § 924(a)(2)	
	:	18 U.S.C. § 924(c)	
	:	21 U.S.C. § 841(a)(1)	
GREGORY TWITTY,	:	21 U.S.C. § 841(b)(1)(B)	
	:	21 U.S.C. § 841(b)(1)(C)	
	:		
	:		
Defendant.	:	FORFEITURE ALLEGATION	

THE GRAND JURY CHARGES THAT:

COUNT 1
(Distribution of a Controlled Substance)

On or about January 24, 2019, in the Southern District of Ohio, the defendant, **GREGORY TWITTY**, did knowingly and intentionally distribute a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, a Schedule II controlled substance.

In violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C), and 18 U.S.C. § 2.

COUNT 2
(Distribution of a Controlled Substance)

On or about January 29, 2019, in the Southern District of Ohio, the defendant, **GREGORY TWITTY**, did knowingly and intentionally distribute a mixture and substance containing a

detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, a Schedule II controlled substance.

In violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C), and 18 U.S.C. § 2.

COUNT 3
(Possession with Intent to Distribute)

On or about February 2, 2019, in the Southern District of Ohio, the defendant, **GREGORY TWITTY**, did knowingly and intentionally possess with the intent to distribute 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, a Schedule II controlled substance.

In violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B).

COUNT 4
(Possession with Intent to Distribute)

On or about February 2, 2019, in the Southern District of Ohio, the defendant, **GREGORY TWITTY**, did knowingly and intentionally possess with the intent to distribute 40 grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance.

In violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B).

COUNT 5
(Possession by a Prohibited Person)

On or about February 2, 2019, in the Southern District of Ohio, the defendant, **GREGORY TWITTY**, having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: Trafficking in Cocaine, Having Weapons Under Disability, and Trafficking in Heroin, Case Number B0904079, Hamilton County (OH) Court of Common Pleas; and Possession of Cocaine, Case Number B0303695, Hamilton County (OH) Court of Common Pleas, did

knowingly possess in and affecting interstate and foreign commerce, firearms and ammunition, that is, a Weihrauch Hermann model Windicator, .357 caliber/.38 special revolver bearing serial number 1083400; a HS Product model XD-9 Sub-Compact MOD 2, 9 millimeter semi-automatic handgun bearing serial number GM913765; a Smith & Wesson model M&P40C, .40 caliber semi-automatic handgun bearing serial number HSJ4824; a Rossi model 38 Special, .38 caliber revolver bearing serial number 152435; eleven rounds of .38 caliber ammunition; nine rounds of 9 millimeter ammunition; and ten rounds of .40 caliber ammunition.

In violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2), and 2.

COUNT 6

(Possession of a Firearm in Furtherance of Offense)

On or about February 2, 2019, in the Southern District of Ohio, the defendant, **GREGORY TWITTY**, did knowingly possess a firearm, that is, a Weihrauch Hermann model Windicator, .357 caliber/.38 special revolver bearing serial number 1083400, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, the offenses charged in Counts 3 and 4 of this Indictment, possession with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of 18 U.S.C. § 924(c).

FORFEITURE ALLEGATION 1

Upon conviction of one or more of the offenses set forth in Counts 1, 2, 3, and/or 4 of this Indictment, the defendant, **GREGORY TWITTY**, shall forfeit to the United States, pursuant to 21 U.S.C. § 853(a), (1) any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such violation(s); and (2) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation(s).

FORFEITURE ALLEGATION 2

Upon conviction of any the offenses set forth set forth in Counts 3, 4, 5, and/or 6 in this Indictment, the defendant, **GREGORY TWITTY**, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearm and ammunition involved in or used in such violation(s), including but not limited to:

- a. a Weihrauch Hermann model Windicator, .357 caliber/.38 special revolver bearing serial number 1083400;
- b. a HS Product model XD-9 Sub-Compact MOD 2, 9 millimeter semi-automatic handgun bearing serial number GM913765;
- c. a Smith & Wesson model M&P40C, .40 caliber semi-automatic handgun bearing serial number HSJ4824;
- d. a Rossi model 38 Special, .38 caliber revolver bearing serial number 152435;
- e. eleven rounds of .38 caliber ammunition;
- f. nine rounds of 9 millimeter ammunition; and
- g. ten rounds of .40 caliber ammunition.

SUBSTITUTE ASSETS

If any of the property described above, as a result of any act or omission of the defendant: (a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with, a third party; (c) has been placed beyond the jurisdiction of the court; (d) has been substantially diminished in value; or (e) has been commingled with other property which cannot be divided without difficulty, it is the intent of the United States, pursuant to 21 U.S.C. § 853(p),

or as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendant, up to the value of the property described above.

A TRUE BILL

11/5/11
GRAND JURY FOREPERSON

BENJAMIN C. GLASSMAN
UNITED STATES ATTORNEY

Ashley Brucato
ASHLEY BRUCATO
ASSISTANT UNITED STATES ATTORNEY